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EXAMINER

MCCLENDON, SANZA L

ART UNIT

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1796

NOTIFICATION DATE

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ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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***Response to Arguments***

1. Applicant's arguments filed September 24, 2008 have been fully considered but they are not persuasive. Applicant appears to be arguing that the cited references do not anticipate or render obvious the instant claims. Applicant argues that all cited Niwa references fail to motivate one of ordinary skill in the art to decrease the amount of component (C) of the instant invention (in this case vinyl ether, taught by Niwa et al) in order to improve the color state and thus the combined effects of good coloring state and good curability attainable by the instantly claimed invention are unexpected. Applicant's state that Niwa et al (JP'392) teaches vinyl ether component in amounts as large as 25wt% and 75wt% (from the examples), which is outside the upper limit (10—wt%) of the claim component (C), still cure without problems, such as poor light transmittance and non-uniform curing. Comparing this statement to the Declaration, filed 4/14/2008, that shows that when component (C) [vinyl ether] exceeds 10wt% the coloration state becomes worse. Additionally, arguing that the coloring state (instant application) and the light transmittance (Niwa et al references) are different in their evaluation criteria and thus should be distinguished from each other. This is not persuasive since applicant has not shown how they are different or how the evaluation criteria for each are different. Applicant's arguments elude that the coloration state is comparable to the transparency--see page 6, last line. It is the examiners interpretation of Niwa et al that Niwa et al is referring to the transparency when referring to the light transmittance, since, as stated in the rejections, that yellowing (coloring) of the cured product will cause attenuation problems which is caused from scattering of light when the cured product is not transparent/non-colored. Therefore the examiner deems that one of ordinary skill in the art using Niwa et al would have expected at lower ranges of vinyl ether (at least from 5 to 10wt%) that the cured product would have sufficient light transmittance (no color), as well as, improved curing rates when polymerizing to obtain the cured product. Especially when the photoinitiator is used in the range that the references set forth.

As stated in the last office action, mailed 7/24/2008, the Declaration is not commensurate in scope with the claims. The Declaration is narrower in scope than the claims since the declaration provides evidence for the vinyl ether as listed in the examples; however the component (c) as found in the instant claims is not limited to vinyl ethers but to any

Art Unit: 1796

compound that generates a carbocation by the criteria set defined in the claim. Therefore the rejections as found in the office action mailed 7/24/2008 still stand.

/Sanza L McClendon/

Primary Examiner,

Art Unit 1796